

13281 U.S. PTO
030204REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)
Submit an original and a duplicate for fee processing

THIS APPLICATION: DOCKET NUMBER	FILING DATE	PRIOR APPLICATION: EXAMINER	ART UNIT	TOTAL NO. OF PAGES
P67948US1	March 2, 2004	Thomas E. Lazo	3745	41

Address to:

Commissioner for Patents
P.O. Box 1450
Mail Stop Patent Application
Alexandria, VA 22313-1450

22857 U.S. PTO
10/790141
030204

This is a request for filing a [X] continuation or [] divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 10/148189 filed on October 3, 2002, entitled ENGINE by the following inventor(s).

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	HARCOURT	Dougal	Lamont
		State or Foreign Country	Country of Citizenship
City			
Residence & Citizenship	Queensland	Australia	New Zealand
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	75 Brisbane Road, Mooloolaba, Queensland, Australia QLD 4557		

[X] additional sheet(s) with inventors information attached

	Family Name	First Given Name	Second Given Name
<u>Full Name of Inventor</u>	SELBY	Robert	James
		State or Foreign Country	Country of Citizenship
<u>Residence & Citizenship</u>	Christchurch	New Zealand	New Zealand
	Post Office Address	City	State & Zip Code/ Country
<u>Post Office Address</u>	8 Clarevale Street, Christchurch, New Zealand		

	Family Name	First Given Name	Second Given Name
<u>Full Name of Inventor</u>	WHITE	William	Lewis
		State or Foreign Country	Country of Citizenship
<u>Residence & Citizenship</u>	Christchurch	New Zealand	New Zealand
	Post Office Address	City	State & Zip Code/ Country
<u>Post Office Address</u>	36a Vernon Terrace, St Martins, Christchurch, New Zealand		

1. [X] A Second Preliminary Amendment is enclosed.
2. [X] Cancel amended claims filed April 24, 2002 1-15 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee		\$385	\$770
Total Claims	20	- 20 =	x 9 = \$
Ind. Claims	1	- 3 =	x 43 = \$
[] Multiple Dependent Claims		<u>+145 = \$</u>	<u>+ 290 = \$</u>
		Total \$385	Total \$

3. [X] The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. [] This application is filed under Rule 53(f) and therefore the [] Filing Fee [] Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 37 C.F.R. 1.16 fees previously made is revoked.
5. [X] Credit card payment (PTO Form-2038) in the amount of \$385.00 is enclosed.
6. [X] Amend the specification by inserting before the first line the sentence:

This is a Continuation of application Serial No. 10/148189 filed October 3, 2002.
[X] which in turn is a nationalization of PCT/NZ00/00241 filed December 7, 2000.
7. [X] A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:
 - a) [X] was claimed by way of a declaration filed in prior application Serial No. 10/148189.
 - b) [] is claimed by way of the attached declaration.
8. [X] Priority of application Serial No. 501608, filed on December 7, 1999 in New Zealand is claimed under 35 U.S.C. 119.

a) [] Certified copy is on file in prior application, Serial No. ____.

b) [] Certified copy filed herewith.

9. [X] The prior application is assigned of record to Harcourt Engine Pty. Limited.

10. [X] The Power of Attorney in the prior application is to at least one of the following:
John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; William E. Player, 31,409; Yoon S. Ham, 45,307; and Nathaniel A. Humphries, 22,772.

a) [X] The power appears in the original papers of the prior application.

b) [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. [X] Petition to extend the life of the above prior application to at least the date hereof

NOTE: (One box) [] is being concurrently filed in
(must be) that prior application.
(X'd) [] was previously filed in that application.
[X] is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. [] New formal drawings are enclosed.

13. [X] Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO 1449 which was filed in Serial No. 10/148189, filed October 3, 2002 which is relied on for an earlier filing date under 35 U.S.C. 120.

a) [] More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.

14. [X] Enclosed is a copy of the PTO 892 which issued in Serial No. 10/148189, filed October 3, 2002 which is relied on for an earlier filing date under 35 U.S.C. 120.

a) [] More than one PTO 892 issued in the above Serial No. _____ and copies of each PTO 892, less the documents, are enclosed.

15. [] Also enclosed is:

Address all future correspondence to:

Customer No. 00136
or
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666

Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. 10/148189, filed on October 3, 2002. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By *JCHolman*
John C. Holman
Reg. No. 22,769
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Signed this 2nd day of
March, 2004

Attorney or Agent of record

Filed under 37 CFR 1.34(a)